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NOTICE OF ALLOWANCE AND FEE(S) DUE

23550 7590 07/14/2008

HOFFMAN WARNICK LLC
75 STATE STREET
14TH FLOOR
ALBANY, NY 12207

EXAMINER

SHEIKH, ASFAND M

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 07/14/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/961,192

09/21/2001

Douglas B. Adams

BLD920010009U1

8223

TITLE OF INVENTION: TOOL, NETWORK AND METHOD FOR ASSET DATA UPDATING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/14/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
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or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

23550 7590 07/14/2008

HOFFMAN WARNICK LLC
75 STATE STREET
14TH FLOOR
ALBANY, NY 12207

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/14/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHEIKH, ASFAND M	3627	705-030000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,192	09/21/2001	Douglas B. Adams	BLD920010009US1	8223
23550	7590	07/14/2008		
HOFFMAN WARNICK LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207				
EXAMINER SHEIKH, ASFAND M				
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 07/14/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1495 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1495 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/961,192

Applicant(s)

ADAMS ET AL.

Examiner

Asfand M. Sheikh

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 May 2008.
2. ☒ The allowed claim(s) is/are 1.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Meghan Q. Toner on June 2, 2008.

The application has been amended as follows:

Claims 8, 12, 13, and 22 have been cancelled.

Prosecution History

The examiner notes claims 1, 8, 12, 13, and 22 were presented for Appeal on 28 May 2008. The examiner notes claims 8, 12, 13 and 22 were canceled via an authorized examiner's amendment.

The examiner notes therefore claim 1 is in condition for allowance for at least the reasons set forth below.

Reasons for Allowance

The following is an examiner's statement for the reasons for allowance.

The present invention is directed to a tool for use by a service technician to find and service an asset that is geographically dispersed from other assets.

The following reference has been identified as the most relevant prior art to the claimed invention. The prior art mostly relates to a handheld device that provides assessors portable access to industry specific programs and data useful in carrying out field assessments. Further the handheld device has wireless capabilities which allows for data to be synchronized between a server and the handheld device carrying out the field assessment.

Barbosa et al. (US 6,961,586 B2) teaches a single hand-held portable computing device (see at least, col. 5, lines 35-51); a wireless interface adapted for connecting the portable computing device to a network via a wireless access protocol (see at least, col. 5, lines col. 5, lines 35-51 and col. 6, lines 28-39); software installed on the

portable computing device (see at least, col. 7, lines 42-45); wherein the software includes one of a module adapted to record information (see at least, col. 7, lines, 47-48 and col. 8, lines 4-10); a module adapted to manage work orders (see at least, col. 10, lines 32-67); a module adapted to generate billing information (see at least, col. 10, lines 20-22); a global positioning system attached to the portable device (see at least, col. 6, lines 40-57); and asset tracking software, installed on the portable computing device (see at least, col. 6, lines 40-57) and a mapping module adapted to provide a real-time map based on a GPS location of the tool (see at least, col. 6, lines 40-57).

The examiner notes that Barbosa et al. is silent with respect the given limitations/missing features in the claimed invention more specifically: a database located on the portable computing device, a module adapted to conduct diagnostic tests on the asset, a module adapted to scan a barcode on the asset, a module adapted to track user time, a module adapted to receive electronic signature on the portable computing device, messaging software, and asset tracking software, installed on the portable computing device, for receiving an asset GPS location from the asset

via the wireless interface, for directing the service technician to the asset, including the asset GPS location, via the wireless interface, wherein the asset tracking software includes a module adapted to calculate the travel time from the first location to a second location. A person having ordinary skill in the art at the time the invention was made would have not been motivated to combine the limitations/missing features with Barbosa et al. The examiner notes the combination of missing features and the other limitation(s) found in the independent claim make the invention novel and unobvious over the cited prior art.

The following foreign reference has been identified as the most relevant prior art to the claimed invention. The prior art mostly relates to a portable computing terminal containing a GPS card for detecting its own position. A database provides the portable computing terminal with data regarding the target facility as it nears the target facility based by the GPS data.

Hiromitsu et al. (JP 11327628A) teaches to a portable computing terminal containing a GPS card for detecting its own position. A database provides the portable computing

terminal with data regarding the target facility as it nears the target facility based by the GPS data (see at least, abstract).

The examiner notes Hiromitsu et al. is silent with respect to the given limitations/missing features in the claimed invention more specifically: a database located on the portable computing device; a wireless interface adapted for connecting the portable computing device to a network via a wireless access protocol; software installed on the portable computing device, wherein the software includes at a module adapted to conduct diagnostic tests on the asset, a module adapted to record information, and a module adapted to scan a barcode on the asset, wherein the software includes a module adapted to track user time, a module adapted to manage work orders, and a module adapted to generate billing information, wherein the software includes a module adapted to receive electronic signatures on the portable computing device, and wherein the software includes messaging software; and asset tracking software, installed on the portable computing device, for receiving an asset GPS location from the asset via the wireless interface, for directing the service technician to the asset, including the asset GPS location, via the wireless

interface, wherein the asset tracking software includes a module adapted to calculate the travel time from the first location to a second location. A person having ordinary skill in the art at the time the invention was made would have not been motivated to combine the limitations/missing features with Hiromitsu et al. The examiner notes the combination of missing features and the other limitation(s) found in the independent claim make the invention novel and unobvious over the cited prior art.

The following non patent literature has been identified as the most relevant prior art to the claimed invention. The prior art mostly relates to the use of a pen based computer for Field GIS.

"Using Pen-Based Computers for Field GIS," by Hansen, teaches the using a pen-based computer provides a more natural way to interact with a GUI (see at least, page 965), further the use of pen-based computers provide easy paperless work orders and ease of collecting information (see at least, page 967), further allows integration of digital mapping for tracking assets and improves routing and dispatching (see at least, page 970).

Hansen is silent with respect to the given limitations/missing features in the claimed invention more specifically: a database located on the portable computing device; a wireless interface adapted for connecting the portable computing device to a network via a wireless access protocol; software installed on the portable computing device, wherein the software includes at a module adapted to conduct diagnostic tests on the asset, a module adapted to record information, and a module adapted to scan a barcode on the asset, wherein the software includes a module adapted to track user time, a module adapted to manage work orders, and a module adapted to generate billing information, wherein the software includes a module adapted to receive electronic signatures on the portable computing device, and wherein the software includes messaging software; a global positioning system (GPS) device attached to the portable computing device; and asset tracking software, installed on the portable computing device, for receiving an asset GPS location from the asset via the wireless interface, for directing the service technician to the asset, including the asset GPS location, via the wireless interface, wherein the asset tracking software includes a module adapted to calculate the travel

time from the first location to a second location. A person having ordinary skill in the art at the time the invention was made would have not been motivated to combine the limitations/missing features with Hansen. The examiner notes the combination of missing features and the other limitation(s) found in the independent claim make the invention novel and unobvious over the cited prior art.

Any comments considered necessary by the application must be submitted no later than the payment of the issue fee and, to avoid processing delays, show preferably accompany the issue fee. Such submission should be clearly labeled "Comments On Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M. Sheikh whose telephone number is (571)272-1466. The examiner can normally be reached on M-F 8a-4:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan M. Zeender can be reached on (571) 272-6790. The fax phone number for

Art Unit: 3627

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asfand M Sheikh/
Examiner, Art Unit 3627

June 18, 2008

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627